

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegations of irregularities in execution of road work "Providing BT to the road from Khammam – Warangal R&B Road to Jallepalli via Keshavapuram, Tippareddygudem and Ajmeera Thanda of Thirumalaipalem Mandal of Khammam District - Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 533 .

Dated: 30.03.2012

ORDER:

It is proposed to hold an enquiry against Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R. BISRAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri A. Vijay Kumar, the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalli of Karimnagar District through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The G.A.(V&E) Dept. (w.r.t.Vigilance Report No.75 (791/V&E/E2/2009), dt. 13.10.2011.

The PR&RD (Estt.I) Department.

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SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No. 533 , PR&RD (Vig.IA) Dept., dt.30.03.2012)

STATEMENT OF ARTICLE OF CHARGE AGAINST SRI A.VIJAY KUMAR THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, QUALITY CONTROL SUB DIVISION, KHAMMAM PRESENTLY WORKING AS EXECUTIVE ENGINEER PANCHAYAT RAJ DIVISION, PEDDPALLE OF KARIMNAGAR DISTRICT.

CHARGE:

That the said Sri A. Vijay Kumar the then Deputy Executive Engineer, Panchayat Raj, Quality Control Sub Division, Khammam presently working as Executive Engineer, Panchayat Raj Division, Peddapalle of Karimnagar District had inspected and certified the substandard BT work which was executed i.e., " Providing BT to the road from Khammam – Warangal R&B Road to Jallepalli via Keshavapuram, Tippareddygudem and Ajmeera Thanda of Thirumalaipalem Mandal of Khammam District". Thus the officer failed to maintain integrity in inspecting the work of the said work and deviated from his legitimate duties.

Basis:

As per the findings of the Vigilance Report No.75 (791/V&E/E2/2009) dt. 13.10.2011 of G.A. (V&E) Dept., samples are taken in Grade-III & Grade-II metal layers to verify the weight of the metal reveal a deficiency of 1.59% in KM 4 in Grade-III metal which is within the allowable of 20%. An amount of Rs.12,156/- is proposed as recovery towards the deficiency.

The V&E officials were also conducted Gradation tests on WBM Grade-III and Grade-II metal. No oversize metal is observed in Grade-III metal. Oversize metal is observed in WBM Grade-II layer in KM 1 (8.7%), KM 2 (9.71%), KM 3 (6.85%), KM 5 (5.77%) & KM 7 (4%). An amount of Rs.12,615/- is proposed as recovery towards the deficiency.

The V&E Officials were also collected samples of OGPC from road surface and tested for bitumen content reveal deficiency in bitumen content in KM 1 (9.3%), KM 2 (14.32%), KM 3 (30.43%), KM 4 (8.63%), KM 5 (31.8%), KM 6 (9.575%), KM 7 (24.61%) & KM 8 (11.15%). The V&E officials have also mentioned that as per Govt. Memo No.15320/Vig.I/2005-1, dt. 12.05.2006, if the deficiency of BT content is more than 15% of the specified binder content, the work is to be totally rejected. For deficiencies upto 15%, the work can be allowed with recoveries. Accordingly, the bitumen layers of OGPC and seal coat are to be rejected in KMs 3, 5 & 7 and relaid at the cost of the contractor. The rejected value of the work is Rs.15,55,313/-. An amount of Rs.3,46,322/- is also proposed as recovery towards the shortfall in bitumen content in KMs 1,2,4,6 and 8.

The abstract of recoveries are as follows:-

i) Shortfall in density of Grade-III metal	..	Rs. 12,156/-
ii) Oversize metal in WBM Grade-II layer	..	Rs. 12,615/-
iii) Shortfall in bitumen content	..	Rs. 3,46,322/-

	Total:	Rs. 3,71,093/-

The rejected value of bituminous layers in KMs 3,5,&7 : Rs.15,55,313/-

The said Officer had inspected the work on 25.03.2009 along with Executive Engineer of Quality Control Division of Warangal and Assistant Executive Engineer (PR) of his sub division i.e. Quality Control Sub Division of Khammam and verified the work and proposed a recovery of Rs.35,058/- towards less density, oversize in Grade II layer and deficiency in BT content only. The officer had given his statement to V&E officials of G. A. Dept., that the variations observed in the BT content may be due to time gap between date of execution and date of inspection. But as per the rebuttal of V&E of G.A. Dept, that, B.T. deficiency is not allowed as per the circular instructions of PR Dept. Had the vigilance wing of PR inspected the work properly the above deficiencies pointed out by V&E of G.A. Dept., would not have been occurred and work would have been executed properly being a loyal Government servant, should have acted in proper way and inspect the work in strict manner. But the officer had inspected the work vaguely in lethargic attitude.

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By act of which, he is not only contravene the Rule (3) of A.P.C.S.(Conduct) Rules, 1964 but also made himself responsible to the above huge loss to the Government exchequer. Had the V&E officials have not inspected the work and brought into the limelight the above deficiencies, huge monetary loss would have been borne by the Government exchequer. Thus he is also responsible for the above loss.

Hence, the charge.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-II

(Annexure to G.O.Rt.No. 533 , PR&RD (Vig.IA) Dept., dt.30.03.2012)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE ARE PROPOSED TO BE SUSTAINED AGAINST SRI A.VIJAY KUMAR, THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, QUALITY CONTROL SUB DIVISION, KHAMMAM PRESENTLY WORKING AS EXECUTIVE ENGINEER, PANCHAYAT RAJ DIVISION, PEDDPALLE OF KARIMNAGAR DISTRICT.

General Administration (V&E) Dept., Vigilance Report No.75 (791/V&E/E2/2009),
dt. 13.10.2011.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-III

(Annexure to G.O.Rt.No. 533 , PR&RD (Vig.IA) Dept., dt. 30.03.2012)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE ARE PROPOSED TO BE SUSTAINED AGAISNT SRI A.VIJAY KUMAR, THE THEN DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ, QUALITY CONTROL SUB DIVISION, KHAMMAM PRESENTLY WORKING AS EXECUTIVE ENGINEER, PANCHAYAT RAJ DIVISION, PEDDPALLE OF KARIMNAGAR DISTRICT.

- NIL -

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

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